IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 17493 of 1993

Between:

M.Papa Rao S/o.Appa Rao
APSRTC, R/o.Gudivada Krishna District

..... PETITIONER

AND

1 The Vice Chairman Cum Managing Director A.P.S.R.T.C.,

Musheerabad, Hyderabad
2 The Regional Manager Sathavahana Region, A.P.S.R.T.C.,
Vijayawada, Krishna Dist
3 The Chief Manager (Personnel) A.P.S.R.T.C., Musheerabad
Hyderabad
4 S.S.Ch.Bose Babu
E.No.79230, R/o.Vijayawada Bus Depot Krishna Dist
5 K.Rama Krishna
E.No.73622, C/o.Guntur Bus Depot-II Guntur, Guntur Dist
6 V.L.Narayana
E.No.837600, Narasaraopet Bus Depot Guntur Dist

(Respondent No.4 Dismissed for default

vide Court Order dated 22-06-2001)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court be pleased to call for the records relating to proceedings No.PDI/367(20)91-Dy.M(P)-II, Dt.27/1/93 and quash the same as illegal and arbitrary and contrary to servcie regulation of the Corporation 1964 violative of Art.14 and 16 of the Constitution India by issuance of writ of certiorari and consequently direct the respondents to revise the seniority list dt.14/6/90.

Counsel for the Petitioner : MR.S.BHOOMA GOUD

Counsel for the Respondents 1 to 3: MR.POSANI VENKATESWARLU, S.C. for A.P.S.R.T.C.

Counsel for the Respondents 5 and 6: None appeared.

The Court Made the Following :

ORDER:

Heard both the learned Counsel.

The petitioner, who was appointed initially as conductor in Sri Venkateswara Region, now seeks to assail the impugned orders dated 27-01-1993, whereby his request for proper allotment to the region has not been considered, nor acceded to. The case of the petitioner is that in spite of appointment in the said region, he has been allotted to other region viz., Bhagyanagar region. However, according to him he is entitled to be allotted to Sri Venkateswara region, more so in view of the fact that his wife is also working in the said region.

The representation filed by the petitioner has been rejected by the impugned orders on the ground that there is no merit therein.

Considering the submissions made and also on perusal of the material, it is seen that the impugned order does not give any reasons as to why the petitioner is not entitled to that allotment to the Sri Venkateswara region, nor there is any finding even in regard to the option exercised by the petitioner.

In the circumstances, it is felt more desirable that the petitioner should file a fresh representation to the respondents herein and on receipt of which the same shall be considered on merits and disposed of in accordance with law within a period of three months thereof, after giving notice and opportunity to the petitioner.

Accordingly, the Writ Petition is allowed and the impugned proceedings No.PDI/367(20)91-Dy.M(P)-II dated 27-01-1993 are set aside. No costs.

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice, on this Friday, the Eighteenth Day of June Two Thousand and Four.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

1. The Vice Chairman Cum Managing Director A.P.S.R.T.C.,

Musheerabad, Hyderabad

2 The Regional Manager Sathavahana Region, A.P.S.R.T.C., Vijayawada, Krishna Dist

3 The Chief Manager (Personnel) A.P.S.R.T.C., Musheerabad Hyderabad.

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